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REMARKS/ARGUMENTS

Newly submitted Claim 79 as well as Claims 66 through 78, ultimately dependent on Claim 79, now stand in this application.

Applicant has carefully reviewed the Examiner's rejection of earlier Claims 65 through 78 and has inserted a new independent Claim 79 which includes further limitations to more further distinguish over the prior art. In particular, Claim 79 in replacement of prior Claim 65 specifically defines a transaction processing system including a recovery process using a very specialized recovery module. The recovery process involves two or more actions specific to the property unit where the actions include locating, recovering possession of, managing, appraising and selling the property unit. The recovery process itself involves services provided by a multiple of service providers for carrying out the above-noted actions. The recovery module then provides automated coordination of the recovery process by coordinating communications with the multiple of service providers. The automated coordination of the recovery module operates to automatically produce an output from the recovery module which requires action and which is in response to the recovery module receiving reporting information from one of the multiple service providers.

The concept of a recovery module automatically coordinating the actions of multiple service providers in a recovery process relating to a property unit by means of producing an output that requires action and which is in response to the recovery module receiving reporting information from one of the multiple service providers is totally unique to applicant. It is not found in any of the prior art cited by the Examiner including either the Campbell or the Rose references.

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In the Official Action, the Examiner has taken the position that Campbell discloses a recovery module for initiating a recovery process and providing automated coordination of the recovery process. Applicant disagrees for reasons given below. The Examiner then points to certain portions of the Campbell reference to support the Examiner's position.

The Examiner admits that Campbell fails to specifically disclose communicating predetermined portions of the transaction information to multiple service providers in a recovery process. Not only is this true but Campbell does not deal with property units as claimed by applicant. Furthermore, from applicant's review of Campbell, there is no disclosure whatsoever as to what multiple service providers would be used in a collection procedure. What Campbell does disclose is a system that is used in helping to make a decision as to whether or not a collection procedure will even be initiated under a loan default condition. According to Campbell, if there is a default condition, a selection can be made as to whether or not the situation even warrants collection of the loan. In some instances according to Campbell, a selection will be made where the collection process is not even justified. In other instances, a selection will be made to initiate a collection process for the loan which is not a property unit. There is no disclosure whatsoever in Campbell as to what the collection process entails. As such, Campbell does not mention or even suggest as to how multiple service providers would coordinate with one another through a recovery module in collecting a loan, much less a property unit.

The only thing disclosed in the Rose patent is a system for tracking different objects through the lifespan of those objects. A very brief reference is made in Rose, Column 14, beginning at line 20, as to finance liens etc. on an article

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tracked by the Rose system. Applicant cannot find anywhere in the Rose system a description as to multiple service providers who would be used in performing a series of actions needed in a recovery process. Furthermore, there is clearly nothing in the Rose patent which discloses automated coordination of multiple service providers through a recovery module.

The concept of coordinating multiple service providers in the recovery process using a recovery module that automatically produces an output in response to information received from one of the multiple service providers is totally unique to applicant. It is something that was not used in any type of a recovery process prior to applicant. Furthermore, it is a substantial advance over the non-coordinated recovery processes that were common place in the market prior to applicant's invention.

Applicant adamantly maintains its position that the subject matter of the claims in this application and, in particular, newly submitted Claim 79 presents subject matter clearly patentable over the prior art.

Applicant now turns to the Examiner's comments that applicant's claims need to include subject matter which "must be distinguished from the prior art in terms of structure rather than function". Clearly there is no prior art showing an automated recovery module as claimed by applicant. In fact, applicant believes that the system defined in newly submitted Claim 79 defines a system which is more structurally different than anything before it such as, for example, many of the prior art references cited by the Examiner. Applicant has reviewed the claims in a number of these patents and would like to point out to the Examiner that the claims found, for example, in United States Patent 4,732,400 and United States Patent 6,498,052 would not appear to include any

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new structure whatsoever. The claims in these patents rely strictly upon how conventional components operate in a new manner to produce patentability.

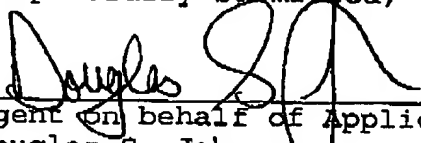
For example, we would like to draw the Examiner's attention to independent Claim 14 of United States Patent 6,098,052. In terms of structure, this claim calls for nothing more than a computerized system which includes a computer and a computer program. As such, the only thing that can be patentable in Claim 14 of the '052 patent is how the computer operates, i.e. the function of the computer program.

In applicant's opinion, the same can be said of Claim 1 in United States Patent 4,732,400 which defines nothing more than a series of "means" which would be standard components operating in a new manner.

Clearly to the extent that the claims in the prior art references cited by the Examiner constitute proper subject matter for patentability so does Claim 79 and all claims dependent thereon in the present application.

In view of the above, applicant believes this application to be in condition for allowance and awaits such notification at the Examiner's early convenience.

Respectfully submitted,


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